

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

XPRT VENTURES, LLC,)
)
Plaintiff and Counter-)
Defendant,)
) C.A. No. 10-595 (SLR)
)
v.)
)
EBAY INC., PAYPAL, INC., BILL ME)
LATER, INC., SHOPPING.COM, INC. and)
STUBHUB, INC.,)
)
Defendants and Counter-)
Claimants.)

STIPULATION AND ORDER TO STAY PROCEEDING
PENDING REEXAMINATION OF PATENTS-IN-SUIT

WHEREAS, "XPRT" shall refer to XPRT Ventures, LLC., its predecessors and successors, its past and present parents, divisions, subsidiaries, affiliates, and related companies, and each of their past and present directors, officers, employees, agents, consultants, attorneys and others purporting to act on their behalf.

WHEREAS, "Defendants" shall refer to eBay Inc., PayPal, Inc., Bill Me Later, Inc., Shopping.com, Inc., and Stubhub, Inc., and their predecessors and successors, their past and present parents, divisions, subsidiaries, affiliates, and related companies, and each of their past and present directors, officers, employees, agents, consultants, attorneys and others purporting to act on their behalf.

WHEREAS, on March 28, 2012, XPRT filed a motion requesting that the action be stayed pending completion of the pending *inter partes* reexaminations (including all appeals) of the Patents-In-Suit (*i.e.*, U.S. Patent Nos. 7,627,528; 7,610,244; 7,599,881; 7,567,937; 7,512,563; and 7,483,856); and

WHEREAS, Defendants do not oppose staying the action under certain terms and conditions, Now, Therefore:

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

- (1) All proceedings in this action are stayed until the completion of each and every one of the currently pending *inter partes* reexaminations of the Patents-In-Suit (including any and all appeals to the United States Court of Appeals for the Federal Circuit). For purposes of this stipulation, “completion” of reexamination of a patent includes abandonment of the patent.
- (2) Neither fact discovery nor expert discovery shall be reopened after the stay is lifted, except for any discovery contemplated under the current scheduling order (D.I. 92), or as otherwise ordered by the Court.

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Attorneys for Defendants

SO ORDERED this ____ day of _____, 2012.

U.S.D.J.